

PATENT
Docket No. Q137-US3RECEIVED
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JUN 02 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hisashi Tsukamoto et al.

Serial No: 10/666,860

Filed: September 17, 2003

For: ELECTRIC STORAGE BATTERY
CONSTRUCTION AND METHOD OF
MANUFACTURE

Art Unit: 1795

Examiner: LEE, Cynthia

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**Communication**

About or around May 21, 2009, the Examiner contacted the Applicant and indicated that an Office Communication had been mailed to the Applicant in September of 2008. The Applicant informed the Examiner that the Office Communication had not been received. About or around May 26, 2009, the Examiner again contacted the Applicant requested that the Applicant provide a statement requesting another mailing of the most recent Office Action and proving that the Applicant did not receive the most recent Office Action. This Communication is being filed in response to that request.

A Declaration by Lisa Robbins under 37 CFR 1.132 (Declaration) is attached. The Declaration shows that Lisa e-mails to me "mail reports" that report to me the mail that has been received from the USPTO. The Declaration includes printouts of the mail reports that were sent over the period of time from September 11, 2008 to May 20, 2009. These mail reports do not include any reference to docket number Q137-US3. Since docket number Q137-US3 corresponds to U.S. Patent Application serial number 10/666,860, these mail reports do not include any reference to U.S. Patent Application serial number 10/666,860. As a result, these mail reports show that the Assignee of the above Patent Application (Quallion LLC) did not receive any communication from the USPTO directed to Patent Application serial number 10/666,860.

For the above reasons, the Applicant respectfully requests that the most recent Office Action be re-transmitted to the Applicant. Additionally, the Applicant respectfully requests that a new due date for a response to the most recent Office Action be assigned.

Respectfully submitted



TRAVIS DODD
Reg. No. 42,491
Agent for Applicant(s)

Quallion LLC
P.O. Box 923127
Sylmar, CA 91392-3127
818-833-2003 ph
818-833-2065 fax
travisd@quallion.com